

## REMARKS

The drawings stand objected to under C.F.R. 1.83(a). More specifically, the Examiner objects to the bottom surface of the column being formed into a quadrate shape as not being shown in the drawings. Applicant respectfully traverses the rejection.

FIG. 2 of the present invention shows two sections 24 that are square or rectangular (i.e., quadrate). Furthermore, support for square or rectangular sections can be found in Applicant's specification on page 9, line 17-20. For these reasons, withdrawal of the objection to the drawings is respectfully requested.

Claim 12 stands rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. More specifically, the Examiner asserts that the specification does not disclose the bottom surface of the column as having the shape of a quadrate. Applicant traverses the rejection for the reasons recited above. More specifically, the first and second stable electrodes 19a, 19b are fixed to the base substrate 12 at square or rectangular sections 24, which is taught by Applicant's specification on page 9, line 17-20. For this reason, Applicant respectfully requests withdrawal of the §112 rejection of claim 12.

Claim 16 stands rejected over Abe et al. (U.S. Patent No. 6,524,878) in view of Horsley (U.S. Patent No. 6,465,355). In response, Applicant amended independent claim 16 to include the allowable subject matter of claim 11, and respectfully traverses the rejection as it applies to the amended claim.

As amended, claim 16 now calls for the electrode columns of the stable electrodes to be located in a space between first and second datum planes, the first datum plane being defined include an outer surface of on of the stable electrode walls, the second datum plane being defined include an outward surface of another stable electrode wall, and a distance between the first and second datum planes being equal to or larger than three times the thickness  $W$  of the moveable electrode. Since the cited references fail to disclose or suggest all of these features, withdrawal of the §103 rejection of claim 16 is respectfully requested.

Claims 1-4, 6, 10, 12-13 and 16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Dyck et al. (U.S. Patent No. 6,393,913), Werner (U.S. Patent No. 6,133,059), and Park et al. (U.S. Patent No. 5,747,690). Applicant respectfully traverses the rejection of claim 16 for the reasons recited above. With respect to the remaining claims, claims 1 and 10 are cancelled, without prejudice, and claims 2-4, 6 and 12-13 are amended to depend from claim 11, which is generally written in independent form and incorporates the allowable subject matter of previously dependent claim 11. More particularly, claim 1 has been inserted into claim 11 except for the “corrosion vestige retracting inward from a contour of the bottom surface in an amount of  $W/2$  being formed on the insulating layers” portion of claim 1. Since the cited references fail to disclose or suggest the features of amended claim 11, withdrawal of the §103 rejection is respectfully requested.

Claim 15 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Dyke, Werner, Park, and further in view of Fujii et al. (U.S. Patent No. 6,227,050). Applicant traverses the rejection for the reasons recited above.

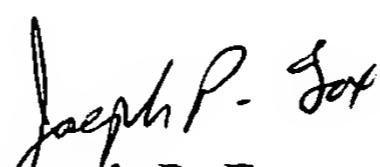
Since claim 15 depends upon claim 11, it necessarily includes all of the features of its associated independent claim plus other additional features. Thus, Applicant submits that the §103 rejection of claim 15 has also been overcome for the same reasons mentioned above to overcome the rejection of claim 11. Applicant respectfully requests that the §103 rejection of claim 15 also be withdrawn.

For all of the foregoing reasons, Applicant submits that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By



Joseph P. Fox

Registration No. 41,760

July 13, 2005

300 South Wacker Drive  
Suite 2500  
Chicago, Illinois 60606  
Telephone: 312.360.0080  
Facsimile: 312.360.9315  
Customer Number 24978